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Rhonda Dunn
Rhonda Dunn

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

In re the application of: Allamanche, et al.

Examiner: Unassigned

Serial No. 09/914,371

Art Unit: Unassigned

Filed: August 21, 2001

Attorney Docket: SCHO0064

For: Device and Method for Producing An Encoded
Audio and/or Video Data Stream

April 20, 2004

RESPONSE TO DECISION ON PETITION UNDER 37 CFR 1.47(a)

Mail Stop PCT
Commissioner for Patents
Office of PCT Legal Administration
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Application respectfully responds to the Decision On Petition Under 37 CFR 1.47(a) dated 20 Feb. 2004 by providing the enclosed documents herewith:

- Original Oath and Declaration (4 sheets); and
- Copy of Decision on Petition Under 37 CFR 1.47(a) (2 pages)

Commissioner is authorized to charge any fees that may be due and credit any overpayments to Deposit Account to Deposit Account No. 07-1445 (Order No. SCHO0064). A copy of this sheet is enclosed for accounting purposes.

Respectfully submitted,

Michael A. Glenn
Michael A. Glenn
Reg. No. 30,176

Customer No. 22862

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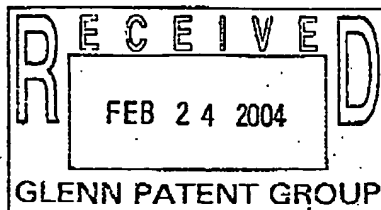
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In re Application of
Allamanche et al
PCT No.: PCT/EP99/09978
Application No: 09/914,371
Int. Filing Date: 15 December 1999
Priority Date: 24 February 1999
Attorney's Docket No.: SCHO0064
For: Device and Method for Producing
An Encoded Audio and/or Video data Stream

COMMUNICATION

This application is before the PCT Legal Office for consideration of matters under 35 U.S.C. 371.

BACKGROUND

In a decision from this Office on 11 September 2003, the petition under 37 CFR 1.47(a) filed on 24 July 2003 was moot since the declaration submitted was signed by all the inventors. However, the declaration of the inventors was not accepted because it was improperly altered.

On 12 December 2003, applicants' filed a "RESPONSE TO DECISION ON PETITION UNDER 37 CFR 1.47(a)," which included a copy of the original declaration and second declaration that included the signature of Niels Rump. However, the second declaration is improper because both sides of the declaration are written. 37 CFR §1.52(a), states that papers that are to become part of permanent Patent and Trademark Office records... (iii) written on only one side in portrait orientation. Accordingly, the second submitted declaration (written on both sides) needs to be separate into two pages written on one side only.

CONCLUSION

For the reasons above, the application may not enter into national stage processing at this time.

A proper response to this communication is a new declaration, which must be filed within TWO (2) MONTHS from the mail date of this communication. Failure to respond will result in the abandonment of the application. Extensions of time are available under 37 CFR 1.136(a).

DOCKETED

By: _____

Date: _____

[Signature]
2/26/04

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Application No.: 09/914,371

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Any further correspondence with respect to this matter should be addressed to the Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.



Rafael Bacares
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PCT Legal Office
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Certificate of Transmission under 37 CFR 1.8

Serial Number: 09/914,371

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TO: Office of PCT Legal Administration

Fax: 703-872-9306

RE: Serial Number: 09/914,371

Attached are the following documents:

1. Response to Decision on Petition (1 sheet, in duplicate for accounting purposes);
2. Copy of Decision on Petition Under 37 CFR 1.47(a) (2 pages); and
3. Original Oath and Declaration (4 sheets)

Burden Hour Statement: This form is estimated to take 0.03 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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